

TOWN OF BUCKEYE
REGULAR COUNCIL MEETING
FEBRUARY 21, 2006
MINUTES

Town Council Chambers
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.

1. Call to Order/Pledge of Allegiance/Roll Call.

Mayor Hull led called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Members Present: Councilman Meck, Councilman Beard , Vice Mayor Urwiller, Mayor Hull, Councilwoman May, Councilman Doster, and Councilman Garza.

Members Absent: None

Departments Present: Town Manager Carroll Reynolds, Town Attorney Scott Ruby, Town Clerk Linda Garrison, Deputy Clerk Lucinda Aja, Public Information Officer Bob Bushner, Community Development Director Bob Bushfield, Police Chief Saben, Fire Chief Scott Rounds, Assistant Fire Chief Bob Costello, Town Engineer Woody Scoutten, Economic Development Director Richard Chapman, Human Resource Director Toni Brown, Finance Manager Iris Wallace, Airport Director Jason Hardison, and Engineer Lucky Roberts.

2. Comments from the Public

None

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council unless a Councilmember requests. Councilwoman May requested Item *5H be pulled for discussion. Vice Mayor Urwiller abstained from voting and discussion on Item *5G. Councilman Beard pulled Item *5J for discussion. Motion made by Vice Mayor Urwiller and seconded by Councilman Beard to approve Items *3, *4, *5A, *5B, *5C, *5D, *5E, *5F, *5G, and *5I. Councilwoman May voted nay on Item *5D. Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Mayor Hull, Councilman Doster, and Councilman Garza voted aye. Motion carried. Motion made by Councilwoman May and seconded by Councilman Beard to table Item *5H. Motion passed unanimously. Motion made by Councilman Beard and seconded by Councilman Doster to approve Item *5J. Motion passed unanimously.

*3. Council approved the minutes of the February 7, 2006, Council Workshop and Regular Council Meeting as presented.

*4. Council approved the invoices due by the Town for payment. Copies of invoices are available at Town Hall.

5. New Business

***5A. Ordinance 15-06-Rezoning- HAYDEN VALENCIA RZ05-21**

Council adopted Ordinance 15-06 amending the zoning map of the Town requested by Sun West Communities on behalf of Paul Hayden on approximately 218.27 acres generally located at the southwest corner of Southern Avenue and Apache Road from the Rural Residential (RR) zoning district to the Planned Residential (PR) zoning district.

***5B. Ordinance 16-06-Rezoning- HAYDEN VALENCIA RZ05-22**

Council adopted Ordinance 16-06 amending the zoning map of the Town requested by Sun West Communities on behalf of Paul Hayden on approximately 19.73 acres generally located at the southwest corner of Southern Avenue and Apache Road from the Rural Residential (RR) zoning district to the Commercial Center (CC) zoning district.

***5C. Ordinance 17-06-Annexation- NEC WATSON AND BROADWAY A05-28**

Council adopted Ordinance 17-06 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits, requested by George Musser of Musser Engineering on behalf of Joe Kalish and located at the northeast corner of Watson Road and Broadway Road.

***5D. Special Events Liquor License / Buckeye Rotary / PRCA**

Council approved the Special Events Liquor License sponsored by the Buckeye Rotary in connection with the PRCA Rodeo to be held at the Rodeo Grounds from March 17 – 19th.

***5E. Project Engineering Consultants, Ltd.- CDBG DG0502 Buckeye Waterline Improvement**

Council approved the award of the engineering service contract to Project Engineering Consultants, Ltd. for the design and construction management services for the CDBG DG0502 Buckeye Waterline Improvement in an amount not to exceed \$95,945 to be funded from line item 190-50-632.

***5F. Resolution 09-06-Modification of Assessment Number 15-2, 16 and 17 for the Miller Road Improvement District.**

Council approved Resolution 09-06 approving the modification of assessments of Assessment Number 15-2, 16 and 17 for the Miller Road Improvement District.

***5G. Arizona Public Service Easement**

Council approved granting an easement in favor of Arizona Public Service, a subsidiary of Pinnacle West Corporation, above, on, and below the surfaces of the Town property located at 100 N. Apache Road.

***5H. Altered Tails**

Council tabled the request by Altered Tails to hold additional Free Spay/Neuter Clinics on February 28th and March 11th at Earl Edgar Field.

***5I. Resolution 12-06 Right-of-Way for Dean Road in the Sundance Master Planned Community.**

Council adopted Resolution 12-06 abandoning the Right-of-Way for Dean Road within the Sundance Master Planned Community generally located between Yuma Road and Durango Street.

***5J. CDBG Program Year XXVIII Buckeye Waterline Improvement Phase 2**

Council approved the changes made to the CDBG grant for Program Year XXVIII application for Buckeye Waterline Improvement Phase 2 to include the distribution for the area South of Monroe Avenue rather than east on Monroe Avenue.

6. PUBLIC HEARING

6A. Public Hearing: Stardust Development Inc.- Annexation-Tartesso Master Planned Community A05-39

A Public Hearing was opened at 7:06 p.m. to hear citizen input on the request by Stephen Earl on behalf of Stardust Development Inc. on the proposed annexation of approximately 174 acres from Maricopa County into the Town, and within the Tartesso Master Planned Community, generally located southeast of Van Buren Street and Sun Valley Parkway. Gary King representing Earl, Curley, and LeGard was available to answer Council's questions. There being no public comment the hearing was closed at 7:08 p.m.

6B. Public Hearing- Stardust Development Inc.- Area Plan-Tartesso Master Planned Community AP05-08

A Public Hearing was opened at 7:10 p.m. to hear citizen input on the request by Stephen Earl on behalf of Stardust Development Inc. on the proposed area plan for approximately 362 acres, generally located southeast of Van Buren Street and Sun Valley Parkway; and southeast of Van Buren Street and Turner Road in the Tartesso Master Planned Community. Steve Earl was available to answer Council's questions. There being no public comment the hearing was closed at 7:12 p.m.

6C. Public Hearing-Amendment- Sun Valley South Community Master Plan CMP (A)05-04

A Public Hearing was opened at 7:13 to hear citizen input on the proposed amendment to the Sun Valley South Community Master Plan located between Johnson Road on the west and Oglesby Road on the east and from Northern Avenue on the north to approximately Bethany Homes Road on the south including approximately 8,200 acres. Steve Earl showed a Power Point presentation. Council voiced concern about heavy traffic issues and the annexation of state land into the Town of Buckeye. There being no comment from the public the hearing was closed at 7:35 p.m.

6D. Public Hearing- Tesota Hills Community Master Plan-CMP (A)05-05

A Public Hearing was opened at 7:36 p.m. to hear citizen input on the proposed amendment to the Tesota Hills Community Master Plan which is located between McDowell Road and Thomas Road and one half mile on each side of Dean Road including approximately 444 acres. Steve Earl was available to answer Council's questions. Engineer Mike Burrel explained to Council that the flood control was re-engineered for a 10,000 year flood. Phillip Brookover asked if an impact study for area wildlife had been done. Steve Earl responded that although there had not been a wildlife impact study done, the area borders the White Tank area and it is being left largely intact. There being no further questions to come before the Council the hearing was closed at 8:02 p.m.

7. OLD BUSINESS - Tabled from October 4, 2005

7A. Ordinance 18-06-Rezoning-GARRETSON RZ04-243

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to table Ordinance 18-06 amending the zoning map of the Town request by Paul Gilbert of Bues, Gilbert, PLLC on behalf of John Garretson, on approximately 305 acres generally located east of Miller Road, between McDowell Road and Yuma Road from Rural Residential (RR) to the Planned Residential (PR) zoning district. Motion passed unanimously.

NON CONSENT AGENDA ITEMS

8. NEW BUSINESS

8A. Resolution 10-06-Tartesso Town Center Area Plan- STARDUST DEVELOPMENT AP05-08

Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to table Resolution 10-06 approving an Area Plan known as Tartesso Town Center requested by Stephen Earl of Earl Curley and Legard on behalf of Stardust Development Inc. on approximately 362 acres generally located southeast of Van Buren Street and the Sun Valley Parkway; and southeast of Van Buren Street and Turner Road. Motion passed unanimously.

8B. Professional Services Contract SanJay Jeer and PDS Technical Services-State Land Annexation

Community Development Director Bob Bushfield and Planning Manager Suparna Dasgupta were available to answer Council's questions and explained that the goal was to eliminate County Islands and to annex as much State land as possible. Motion made by Councilman Meck and seconded by Councilwoman May to approve the Professional Services Contract with SanJay Jeer and PDS Technical Services in an amount not to exceed \$50,800 for the annexation of State Land within the Town's Planning Area as an emergency procurement as defined under Section 3-4-22 of Article 3-4, the Town's Procurement Code. Motion passed unanimously.

8C. Community Development Management Assistant Position (Grade 60)

Human Resources Director Toni Brown and Development Director Bob Bushfield were available to answer Council's questions. Motion made by Vice Mayor Urwiller and seconded by Councilwoman May to approve the request by the Community Development Director to create a Management Assistant Position (Grade 60). Mayor Hull voted nay due to being in the middle of the budget year. Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Councilwoman May, Councilman Doster, and Councilman Garza vote aye. Motion carried.

8D. Resolution 11-06- Authorizing a Loan from the Greater Arizona Development Authority in the amount not to exceed \$15,000,000

Finance Director Doug Allen was available to answer Council's questions. Motion made by Councilman Beard and seconded by Councilwoman May to approve Resolution 11-06 authorizing the execution and delivery of a loan repayment agreement with the Greater Arizona Development Authority, a tax compliance certificate, and a continuing disclosure undertaking; approving portions of an official statement; approving a loan from the Greater Arizona Development Authority in the amount not to exceed \$15,000,000, and declaring an emergency. Mayor Hull voted nay. Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Councilwoman May, Councilman Doster, and Councilman Garza vote aye. Motion carried.

8E. Buckeye Main Street Coalition Fast Track Grants- Millstone Café, Gary Bruehl's State Farm Office, and Happy Daze Restaurant

Motion made by Councilwoman May and seconded by Councilman Meck to approve the request from Buckeye Main Street Coalition for up to \$15,000 in fast track grants to assist with improvements to Millstone Café, Gary Bruehl's State Farm Office, and Happy Daze Restaurant to be funded from Downtown Revitalization Funds, line item 180-50-597. Mayor Hull voted nay. Councilman Meck, Councilman Beard, Vice Mayor Urwiller, Councilwoman May, Councilman Doster, and Councilman Garza vote aye. Motion carried.

8F. Ordinance 19-06 Sun Valley South CMP Amendment- SUN VALLEY SOUTH CMP(A)05-04

Motion made by Councilwoman May and seconded by Councilman Meck to Council to adopt Ordinance 19-06 approving a Community Master Plan Amendment for the development known as Sun Valley South, a Master Planned Community on approximately 8,200 acres of land generally located north between Bethany Home Road and Northern Avenue from north to south and Oglesby Road and Johnson Avenue from east to west with the removal of Stipulation #34. Motion passed unanimously.

8G. Ordinance 20-06-CMP Amendment- TESOTA HILLS CMP(A)05-05

Motion made by Councilman Meck and seconded by Councilwoman May to adopt Ordinance 20-06 approving a Community Master Plan Amendment for the development known as Tesota Hills, a Master Planned Community by Pulte Home Corporation on approximately 444 acres of land approximately located north of the McDowell Road alignment and one half mile west of Verrado Way. Motion passed unanimously.

9. Town Manager's Report

*Town Manager needs a vehicle, preferably a Honda Civic. The previous one needs to be given back to the Police Department to fulfill RICO requirements.

*A letter was given to Council regarding the Sonora Wall.

*Interviews will be given for Assistant Town Manager starting February 27th. (2) Councilmembers will serve on the interview board.

10. Comments from the Mayor and Council

Mayor Hull – Told staff that the water billing issue needs to be addressed and fixed.

Councilman Meck – Concerned about property value going up before the Town buys land for a Town Hall. The water billing issue needs to be resolved.

Councilman Beard – None

Councilman Doster – Told Council that when the water rates were set the Council knew they were high.

Councilwoman May – None

Vice Mayor Urwiller – None

Councilman Garza – Liked last years budget format and wants to see preliminary budget before cuts are made as well as the final budget.

10. Adjournment.

There being no further business to come before Council motion made by Vice Mayor Urwiller and seconded by Councilwoman May to adjourn the meeting at 8:43 p.m. Motion passed unanimously.

Dustin Hull, Mayor

ATTEST:

Linda Garrison, Town Clerk

I further certify that a quorum was present. I hereby certify that the foregoing is a true and correct copy of the Regular Meeting held on the 21st day of February, 2006. I further certify that a quorum was present.

Linda Garrison, Town Clerk